

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Applicant:**           **Davuluri Rammohan Rao, et al..**

**Application No.:**   **10/578,078**

**371(c) Date**       **March 7, 2007**

**Title:**           **PROCESS FOR THE  
PREPARATION OF  
LEVOFLOXACIN  
HEMIHYDRATE**

**Docket No.:**       **020540-5**

**Examiner:**       **Kahsay Habte**

**Art Unit:**       **1614**

**Conf. No.:**       **4889**

**Customer No.:**

**24239**

**REQUEST TO DISMISS AND/OR WITHDRAW PREVIOUSLY FILED PETITION IN U.S.  
PATENT APPLICATION NO. 10/578,078**

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

At this time, the undersigned attorney and all attorneys associated with Customer No. 24239 wish to rescind or in the alternative request the dismissal or withdrawal of a previously filed petition. Specifically, the petition that requires dismissal or withdrawal was filed on October 22, 2007, relating to a request for representation withdrawal under the provisions of 37 CFR §1.36 and 37 CFR §10.40. (Copy of the Electronic Receipt is enclosed in Appendix A)

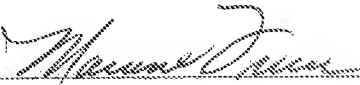
Notably, the above-discussed petition was filed on October 22, 2007 because the owner of the above identified application, Neuland Laboratories Limited, was substantially in arrears regarding payment of both professional legal fees and USPTO fees. However, Neuland Laboratories Limited, as of this date of November 9, 2007 has forwarded full payment for all outstanding fees and further has requested that the undersigned attorney and all attorneys associated with Customer No. 24239 remain as their patent representative before the USPTO. (See email in Appendix A requesting continuation of representation)

As such, the undersigned attorney and all attorneys associated with Customer No. 24239 request that the previous filed petition be dismissed or withdrawn thereby allowing the undersigned attorney and all attorneys associated with Customer No. 24239 to continue to represent inventors and owners of the above-identified application.

Respectfully submitted,

MOORE & VAN ALLEN PLLC

Date: November 9, 2007

By:   
Marianne Fuierer  
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## **APPENDIX A**

## Electronic Acknowledgement Receipt

<b>EFS ID:</b>	2350029
<b>Application Number:</b>	10578078
<b>International Application Number:</b>	
<b>Confirmation Number:</b>	4889
<b>Title of Invention:</b>	Process for the Preparation of Levofloxacin Hemihydrate
<b>First Named Inventor/Applicant Name:</b>	Davuluri Rammohan Rao
<b>Customer Number:</b>	24239
<b>Filer:</b>	Marianne Fuierer/Katrina Holland
<b>Filer Authorized By:</b>	Marianne Fuierer
<b>Attorney Docket Number:</b>	020540-005
<b>Receipt Date:</b>	22-OCT-2007
<b>Filing Date:</b>	07-MAR-2007
<b>Time Stamp:</b>	14:25:16
<b>Application Type:</b>	U.S. National Stage under 35 USC 371

### Payment information:

Submitted with Payment	no
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### File Listing:

Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Miscellaneous Incoming Letter	Petition_for_Withdrawal_of_Representation.pdf	281367 059725e769f63e9bac2be693ed2aa05e2c8d2879	no	5

### Warnings:

**Marianne Fuierer**

**From:** Rama Sarma [ramasarma@chennai.kochhar.com]  
**Sent:** Friday, October 26, 2007 5:03 AM  
**To:** Marianne Fuierer  
**Cc:** mark  
**Subject:** Re: Notification of Outstanding amount

Dear Marianne,

Please note the Client is dispatching the outstanding Payment to us by courier today.

We expect to receive the amount of **US \$ 6,000** on Monday and will have the same wire transfered to you by on or before Friday.

Meanwhile the Client has checked up the US patent gazette and reported to us that your representation has been withdrawn.

Our client has specifically insisted us to makesure before dispatching the pending payments to you, that you will continue to prosecute the client's application in US.

Also, we request you to send us the scanned copies of all debit notes which are outstanding till date.

Kindly revert to us on the above said matter and do the needful at the earliest.

Regards

Rama

----- Original Message -----

**From:** Marianne Fuierer  
**To:** ramasarma  
**Sent:** Monday, October 22, 2007 7:24 PM  
**Subject:** RE: Notification of Outstanding amount

Please inform me if funds have been received.

-----Original Message-----

**From:** ramasarma [mailto:ramasarma@chennai.kochhar.com]  
**Sent:** Thursday, September 27, 2007 1:09 AM  
**To:** Marianne Fuierer; mark  
**Subject:** Re: Notification of Outstanding amount

Dear Fuierer,

I had been to Hyderabad yesterday to discuss with client regarding the payments pending in your account in the name of Neuland Laboratories.

The client has agreed to pay the outstanding balance of \$6,615.03. on or before 20th of October, 2007. for the following matters as appended below in your mail.